

November 4, 2002

Re: Medical Dispute Resolution  
MDR #: M2.02.1173.01  
IRO Certificate No.: IRO 5055

Dear

In accordance with the requirement for TWCC to randomly assign cases to IROs, TWCC assigned your case to \_\_\_\_ for an independent review. \_\_\_\_ has performed an independent review of the medical records to determine medical necessity. In performing this review, \_\_\_\_ reviewed relevant medical records, any documents provided by the parties referenced above, and any documentation and written information submitted in support of the dispute.

The independent review was performed by a matched peer with the treating health care provider. Your case was reviewed by a physician Board Eligible – American Board of Orthopedic Surgery.

I am the Secretary and General Counsel of \_\_\_\_ and I certify that the reviewing physician in this case has certified to our organization that there are no known conflicts of interest that exist between him and any of the treating physicians or other health care providers or any of the physicians or other health care providers who reviewed this case for determination prior to referral to the Independent Review Organization.

We are simultaneously forwarding copies of this report to the payor and the Texas Workers' Compensation Commission. This decision by \_\_\_\_ is deemed to be a Commission decision and order.

Clinical History:

This 39-year-old female suffered a work-related injury in \_\_\_\_, resulting in multiple problems. This review relates to her low back pain with intermittent bilateral lower extremity pain.

An MRI on 10/22/01 showed some degenerative disc disease, most pronounced at L5-S1, with some degenerative changes as well at T11-12 and a bulge at L2-3 and L3-4. She did receive some facet injections, which have not worked.

Disputed Services:

Five-level lumbar discogram.

Decision:

The reviewer agrees with the determination of the insurance carrier. The reviewer is of the opinion that the multi-level discogram is not medically necessary in this case.

Rationale for Decision:

There is significant literature, especially from Stanford, showing that discograms, especially in patients with chronic low back pain, are excessively sensitive and not particularly specific studies. It does not seem this patient has undergone a good conservative course of physical therapy involving lumbar stabilization and aerobic exercise. Ordering a five-level discogram with one level being the problem without specific clinic suspicion is excessive. Lumbar discograms should be ordered with a target level in mind.

If a clinical suspicion exists of one level in particular being involved, the reviewer thinks that level should be targeted, and then obtain a discogram one level cephalad as a control level. The reviewer found her EMG to be basically normal; therefore, she has no radiculopathies in either leg.

## YOUR RIGHT TO REQUEST A HEARING

Either party to this medical dispute may disagree with all or part of this decision and has a right to request a hearing.

If disputing a spinal surgery prospective decision a request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings within ten (10) days of your receipt of this decision (28 Tex. Admin. Code 142.5©).

If disputing other prospective medical necessity (preauthorization) decisions a request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings within twenty (20) days of your receipt of this decision (28 Tex. Admin. Code 148.3).

This Decision is deemed received by you five (5) days after it was mailed (28 Tex. Admin. Code 102.4(h) or 102.5 (d)). A request for a hearing should be sent to:

Chief Clerk of Proceedings  
Texas Workers' Compensation Commission  
P.O. Box 40669  
Austin, TX 78704-0012

A copy of this decision should be attached to the request. The party appealing the decision shall deliver a copy of its written request for a hearing to all other parties involved in the dispute.

I hereby verify that a copy of this Independent Review Organization (IRO) Decision was sent to the carrier, the requestor and claimant via facsimile or U.S. Postal Service from the office of the IRO on November 4, 2002.

Sincerely,